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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/802,385         | 03/17/2004             | James V. Miller       | P00918-US-00           |

CONFIRMATION NO. 3674

## FORMALITIES LETTER



\*OC000000012863711\*

Russell E. Fowler, II  
 ICE MILLER  
 One American Square  
 Box 82001  
 Indianapolis, IN 46282-0002

Date Mailed: 06/03/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/08/2004 FFANAEIA 00000059 10802385

FILED UNDER 37 CFR 1.53(b)

01 FC:2001  
 02 FC:2051

385.00 OP  
 65.00 OP

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1)); See Figure(s) 2.
  - The drawings must be made on paper that has a white background (see 37 CFR 1.84(e)). For example, drawings on graph paper, lined paper, or paper that has a non-white background are not acceptable. See Figure(s) 4, 5, 6, 7, 8.

- An abstract of the technical disclosure not exceeding 150 words in length and commencing on a separate sheet in compliance with 37 CFR 1.72(b) is required. An abstract was not provided for this application.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$450** for a Small Entity

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

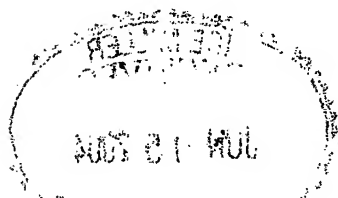
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*A copy of this notice **MUST** be returned with the reply.*

*E. J. G. S. n*  
\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



September 2, 2004

WRITER'S DIRECT NUMBER: (317) 236-5972

Internet: [powlick@icemiller.com](mailto:powlick@icemiller.com)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAIL STOP: MISSING PARTS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

I hereby certify that this paper or fee is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MAIL STOP: MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

September 2, 2004  
Date of Deposit

Barbara A. LaBarge  
Typed or Printed Name of Person Signing this Certificate

Barbara A. LaBarge  
Signature

9/2/04  
Date of Signature

09/08/2004 FFANAEIA 00000059 10802385

03 FC:2251

55.00 DP

Re: Response to Notice of Missing Parts  
Invention: LOW CLEARANCE SHUTTER SLAT  
Inventor: Miller, James V.  
Serial No.: 10/802,385  
Conf. No. 3674  
Filed: March 17, 2004  
Our Docket: P00918-US-00 (25490.0031)

**RESPONSE TO NOTICE OF MISSING PARTS**

Sir:

In response to the enclosed Notice of Missing Parts dated June 3, 2004, Applicant hereby petitions for a one-month extension of time. The deadline for filing with a one-month extension of time is September 3, 2004.

Applicant encloses the following:

1. A Declaration and Power of Attorney executed by the inventor.
2. A check in the amount of \$505.00 for payment of:
  - a. the \$385 statutory basic filing fee (small entity),
  - b. the surcharge of \$65 under 37 C.F.R. §1.16(e) for late filing of the declaration and a copy of the Notice to File Missing Parts, and
  - c. the fee of \$55 for a one-month extension of time under 37 C.F.R.

Commissioner for Patents  
Serial No. 10/802,385  
September 2, 2004  
Page 2

§1.17(a)(1).

3. A Submission of Formal Drawings, along with five pages of drawings, to replace Figures 1-8.

4. An Abstract on a separate sheet.

5. A copy of the Notice to File Missing Parts of Nonprovisional Application.

Please charge deposit account no. 09-0007 for any fee deficiency.

Applicant now believes that this application is complete. If there are any questions regarding the Notice of Missing Parts or the enclosed documents, then it is requested that the examiner contact the undersigned.

Respectfully submitted,

ICE MILLER



Jill T. Powlick, Reg. No. 42,088

ICE MILLER

One American Square, 31<sup>st</sup> Floor

Indianapolis, IN 46204

Telephone: (317) 236-5972

Facsimile: (317) 592-4610

Date: 9/2/04

Enclosures: Check in the amount of \$505.00  
Fee Transmittal Sheet  
Response to Notice of Missing Parts  
Executed Declaration  
Submission of Formal Drawings (with 5 sheets of drawings)  
Abstract  
Copy of Notice to File Missing Parts  
Return Postcard



# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 505.00)

## Complete if Known

Application Number 10/802,385  
Filing Date 03/17/2004  
First Named Inventor James V. Miller  
Examiner Name Unknown  
Art Unit Unknown  
Attorney Docket No. P00918-US-00

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number 09-0007

Deposit Account Name ICE MILLER

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description        | Fee Paid    |
|----------------------------|----------------------------|------------------------|-------------|
| 1001 770                   | 2001 385                   | Utility filing fee     | 385.00      |
| 1002 340                   | 2002 170                   | Design filing fee      |             |
| 1003 530                   | 2003 265                   | Plant filing fee       |             |
| 1004 770                   | 2004 385                   | Reissue filing fee     |             |
| 1005 160                   | 2005 80                    | Provisional filing fee |             |
| SUBTOTAL (1)               |                            |                        | (\$ 385.00) |

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims  -20\*\* =  X  =   
Independent Claims  -3\*\* =  X  =   
Multiple Dependent  =

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description  |
|----------------------------|----------------------------|--|
| 1202 18                    | 2202 9                     | Claims in excess of 20                                     |
| 1201 86                    | 2201 43                    | Independent claims in excess of 3                          |
| 1203 290                   | 2203 145                   | Multiple dependent claim, if not paid                      |
| 1204 86                    | 2204 43                    | ** Reissue independent claims over original patent         |
| 1205 18                    | 2205 9                     | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$ 0.00)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description  | Fee Paid |
|---------------|---------------|--|----------|
| 1051 130      | 2051 65       | Surcharge - late filing fee or oath  | 65.00    |
| 1052 50       | 2052 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053 130      | 1053 130      | Non-English specification  |          |
| 1812 2,520    | 1812 2,520    | For filing a request for ex parte reexamination                            |          |
| 1804 920*     | 1804 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805 1,840*   | 1805 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251 110      | 2251 55       | Extension for reply within first month                                     | 55.00    |
| 1252 420      | 2252 210      | Extension for reply within second month                                    |          |
| 1253 950      | 2253 475      | Extension for reply within third month                                     |          |
| 1254 1,480    | 2254 740      | Extension for reply within fourth month                                    |          |
| 1255 2,010    | 2255 1,005    | Extension for reply within fifth month                                     |          |
| 1401 330      | 2401 165      | Notice of Appeal   |          |
| 1402 330      | 2402 165      | Filing a brief in support of an appeal                                     |          |
| 1403 290      | 2403 145      | Request for oral hearing   |          |
| 1451 1,510    | 1451 1,510    | Petition to institute a public use proceeding                              |          |
| 1452 110      | 2452 55       | Petition to revive - unavoidable   |          |
| 1453 1,330    | 2453 665      | Petition to revive - unintentional   |          |
| 1501 1,330    | 2501 665      | Utility issue fee (or reissue)   |          |
| 1502 480      | 2502 240      | Design issue fee   |          |
| 1503 640      | 2503 320      | Plant issue fee  |          |
| 1460 130      | 1460 130      | Petitions to the Commissioner  |          |
| 1807 50       | 1807 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 1806 180      | 1806 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021 40       | 8021 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809 770      | 2809 385      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810 770      | 2810 385      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801 770      | 2801 385      | Request for Continued Examination (RCE)                                    |          |
| 1802 900      | 1802 900      | Request for expedited examination of a design application                  |          |

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 120.00)

(Complete if applicable)

## SUBMITTED BY

Name (Print/Type) Jill Tabor Powlick

Registration No. 42,088  
(Attorney/Agent)

Telephone 317-236-5972

Signature

Date 09/02/2004

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



September 2, 2004

WRITER'S DIRECT NUMBER: (317) 236-5972  
internet: jill.powlick@icemiller.com

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re:   Invention:   LOW CLEARANCE SHUTTER SLAT  
      Inventor:   Miller, James V.  
      Serial No.:  10/802,385  
      Conf. No.   3674  
      Filed:       March 17, 2004  
      Our Docket: P00918-US-00 (25490.0031)

**SUBMISSION OF FORMAL DRAWINGS**

Dear Sir:

Enclosed are five sheets of new drawings, Figs. 1-8, for the above identified patent application. Please replace the informal drawings, as originally filed, with the enclosed formal drawings.

Should there be any questions, the Draftsman is invited to contact the undersigned.

Sincerely,

ICE MILLER

Jill T. Powlick  
Attorney Registration No. 42,088  
ICE MILLER  
One American Square, 31<sup>st</sup> Floor  
Indianapolis, Indiana 46204  
Telephone: (317) 236-5972  
Facsimile: (317) 592-4610  
Date: 9/2/04

Commissioner for Patents  
September 2, 2004  
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INDY 1421898v1